

REMARKS

Claims 29, 32, 33 and 36-38, as amended, remain herein. Claims 29, 33 and 38 are amended.

Applicants believe that this Amendment places this application fully in condition for allowance, and surely in better condition for any appeal. Thus, entry of this Amendment and allowance of all claims 29, 32, 33 and 36-38 are respectfully requested.

1. Claims 29 and 33 were rejected for alleged obviousness type double patenting over claims 3 and 8 of commonly-owned U.S. Patent 6,778,969. Applicants herewith submit a Terminal Disclaimer under 37 C.F.R. § 1.321 (c) to moot the double patenting rejections.

2. Claims 29 and 33 have been amended to moot the rejections under 35 U.S.C. § 112, second paragraph. The claims recite a “content reproducing device” and all references to a server have been deleted.

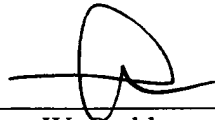
The Office Action, page 4, also alleges that elements recited in claims 29 and 33 are functional limitations. These limitations should be given patentable weight because claims 29 and 33 recite “unit . . . for reading . . . information” in the “means-plus-function” format authorized by 35 U.S.C. § 112, paragraph six.

Reconsideration and withdrawal of this rejection are respectfully requested.

Accordingly, the application is now fully in condition for allowance and a notice to that effect is respectfully requested. The PTO is hereby authorized to charge/credit any fee deficiencies or overpayments to Deposit Account No. 19-4293. If further amendments would place this application in even better condition for issue, the Examiner is invited to call applicants' undersigned attorney at the number listed below.

Respectfully submitted,

STEPTOE & JOHNSON LLP



Roger W. Parkhurst
Reg. No. 25,177
Daniel W. Shim
Reg. No. 56,995

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STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036-1795
Tel: (202) 429-3000
Fax: (202) 429-3902

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